

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$30,250 IN U.S. CURRENCY,
\$11,000 IN U.S. CURRENCY,
\$11,750 IN U.S. CURRENCY,
AND ANY ACCRUED INTEREST,

Defendants.

CASE NO. CV20-1642

**VERIFIED COMPLAINT
FOR FORFEITURE *IN REM***

COMES NOW the United States, by and through its undersigned counsel, and
alleges:

I. NATURE OF THE ACTION

1. This is a civil *in rem* action for the forfeiture of:

a. \$30,250 in U.S. currency, contained in U.S. Priority Mail Express
parcel #EE472725518US (“Defendant Currency A”), seized on May 11, 2020 at the
Seattle Processing and Distribution Center for the United States Postal Service, located at
10700 27th Avenue South, Tukwila, Washington 98168;

b. \$11,000 in U.S. currency, contained in U.S. Priority Mail Express parcel #EE455046776US (“Defendant Currency B”), seized on June 25, 2020 at 301 Union Street, Seattle, Washington 98101; and,

c. \$11,750 in U.S. currency, contained in U.S. Priority Mail parcel #9505 5127 4626 0176 8946 50 (“Defendant Currency C”), seized on July 1, 2020 at 301 Union Street, Seattle, Washington 98101 (collectively, “Defendant Currencies”).

II. LEGAL BASIS FOR FORFEITURE

2. The Defendant Currencies are forfeitable pursuant to 21 U.S.C. §§ 841(a)(6) (moneys furnished, or intended to be furnished, in exchange for a controlled substance or proceeds from such an exchange), 841(a)(1) (distribution of a controlled substance), and 846 (attempt or conspiracy to violate Title 21). Specifically, the Defendant Currencies represent moneys furnished, or intended to be furnished, in exchange for a controlled substance or proceeds from such an exchange.

III. JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1345 (United States is plaintiff) and 1355(a) (action for forfeiture).

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1355(b)(1)(A) (acts giving rise to the forfeiture occurred in this district) and 1395(b) (Defendant Currencies are located in this district).

5. The parcel containing Defendant Currency A was seized pursuant to the execution of a federal search warrant on May 11, 2020 at the Seattle Processing and Distribution Center for the United States Postal Service, located at 10700 27th Avenue South in Tukwila, Washington 98168.

6. On May 11, 2020 the United States Postal Service took custody of Defendant Currency A and it remains in the custody of the United States.

7. The parcel containing Defendant Currency B was seized pursuant to the execution of a federal search warrant on June 25, 2020 at 301 Union Street, Seattle, Washington 98101.

1 8. On June 25, 2020, the United States Postal Service took custody of
2 Defendant Currency B and it remains in the custody of the United States.

3 9. The parcel containing Defendant Currency C was seized pursuant to the
4 execution of a federal search warrant on July 1, 2020 at 301 Union Street, Seattle,
5 Washington 98101.

6 10. On July, 1, 2020, the United States Postal Service took custody of
7 Defendant Currency C and it remains in the custody of the United States.

8 11. As provided in Supplemental Rule G(3)(b)(i), the Clerk of Court must issue
9 a warrant to arrest the Defendant Currencies if they are in the government's possession,
10 custody, or control. As such, the Court will have *in rem* jurisdiction over the Defendant
11 Currencies when the accompanying Warrants of Arrest *in Rem* are issued, executed, and
12 returned to the Court.

13 IV. FACTUAL BASIS FOR FORFEITURE

14 A. *Defendant Currency A (\$30,250)*

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16 12. On May 8, 2020, Postal Inspectors with the United States Postal Inspection
17 Service conducted interdiction operations targeting controlled substances and/or proceeds
18 from the sale of and distribution of illegal drug activity. Part of the interdiction efforts
19 were performed by searching databases on parcel information. These operations took
20 place in many parts of the Washington State, including at the Seattle Processing and
21 Distribution Center, located at 10700 27th Avenue South, located in Tukwila,
22 Washington 98168.

23 13. During the interdiction operations, U.S. Priority Mail Express parcel
24 #EE472725518US ("Parcel A") was identified for further inspection.

25 14. Parcel A was a U.S. Postal Service Priority Mail box that measured
26 approximately 10 x 10 x 10.5 and weighed approximately 3 pounds, 7.2 ounces. It was
27 shipped as 1-day delivery and carried \$64.50 in postage.

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15. Parcel A was addressed from Tan Nguyen, 219 Summer Private Dr., Kingsport, Tennessee 37664 and addressed to Kim Nguyen, 16214 114th Avenue SE, Renton, Washington 98055. A photograph of the package and mailing label is included below.



a. Investigation revealed that 219 Summer Private Drive, Kingsport, Tennessee 37664 is a valid address and that Tan Nguyen, William Wray, Tiffani Wells, and Riley Wells are associated with that address.

b. Investigation revealed that 16201 114th Avenue SE, Renton, Washington 98055 is a valid address and that Kim Nguyen, Trong Nguyen, and Trong Trung Nguyen are associated with that address.

16. Based on his training and experience, United States Postal Inspector Mitchel Vanicek noted that Parcel A bore multiple features that are consistent with the distribution of controlled substances and related proceeds.

External Features of Parcel A Consistent with Drug Trafficking

17. Review of parcel database information revealed that Parcel A was mailed from a zip code (34102) associated with Naples, Florida, but had a return address from a zip code (37644) associated with Kingsport, Tennessee.

18. Inspectors know from training and experience that drug traffickers often provide erroneous, fictitious, and/or misleading information on mailing labels as a tactic to conceal their true identity and address from law enforcement.

19. Florida is a known destination state for marijuana parcels shipped from the source state of Washington. Florida is not a state in which possession of recreational marijuana is lawful. Proceeds from the sale and distribution of controlled substances received from Washington are often sent back from destination states as payment via the U.S. Mail system.

20. Review of parcel database information revealed that the mailer of Parcel A used cash to pay for the \$65.40 in postage.

21. Inspectors know from training and experience that drug traffickers often pay with cash for postage because use of a debit or credit card may allow law enforcement to identify the shipper to a known address or provide other identifiers.

22. The label of Parcel A was hand written and appeared to have been sent from a private individual to another private individual. It did not appear to be business related.

23. Inspectors know from training and experience that drug traffickers often hand write mailing labels instead of using pre-printed labels, which is customary in business mailings.

24. There were no contact telephone numbers written on the mailing label attached to Parcel A, for either the sender or the recipient.

25. Inspectors know from training and experience that Express mailings are generally used for items or documents that the sender considers important, valuable, and/or time sensitive. It would be unusual not to include a contact telephone number in

1 the event there was a problem with delivery of the parcel. Drug traffickers often choose
2 not to include telephone numbers – or provide incorrect telephone numbers – on parcels,
3 so as not to enable law enforcement to trace their names or physical locations.

4 ***Further Investigation***

5 26. Based on the information identified above, as well as his training and
6 experience, Inspector Vanicek deemed there was reasonable suspicion to detain Parcel A
7 for further investigation.

8 27. Inspector Vanicek requested the assistance of Task Force Officer (TFO)
9 James Sturgill and his certified controlled substance detection K-9 partner, “Apollo.”
10 Apollo is a passive alert canine and is trained to give a “sit response” after having
11 identified the specific location from which the odor of a controlled substance is emitting.
12 Apollo is trained to detect the presence of marijuana, heroin, methamphetamine, and
13 cocaine; he cannot communicate which of these substances he has detected.

14 28. After an initial search of a warehouse room in the Tukwila facility, Apollo
15 did not alert on any items or areas. Inspector Vanicek then placed Parcel A in an out-of-
16 sight location in the warehouse room, out of the view of Detective Sturgill and K-9
17 Officer Apollo. During Apollo’s subsequent search of the warehouse room, he stopped
18 and “sat” in the area where Parcel A was located. This was an indication to Detective
19 Sturgill that Apollo detected an odor of a controlled substance emanating from Parcel A.

20 29. Inspectors know from training and experience that individuals who
21 regularly handle controlled substances often leave the scent of controlled substances on
22 the box and other packaging materials they handle. Packaging materials are often stored
23 in close proximity to the controlled substances, thereby transferring the odor of the
24 controlled substances to the packaging materials. Controlled substances canines (also
25 called narcotics canines) are trained to alert on these substances.

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Search of Parcel A

30. On May 11, 2020, the Honorable Mary Alice Theiler, United States Magistrate Judge for the Western District of Washington, issued a search warrant, authorizing the search of Parcel A.

31. After obtaining a search warrant, Postal Inspectors Mitchel Vanicek and Michael Fischlin executed the warrant and opened Parcel A.

32. Parcel A contained popcorn stuffing material and a long sleeved black shirt. The shirt was wrapped around multiple stacks of U.S. currency. The currency bundles were folded in half, secured with rubber bands, and vacuum-sealed inside clear plastic. Photographs of the parcel, the internal packaging, and the currency are included below.



33. Inspectors know from training and experience that drug traffickers often use plastic wrap (cellophane), carbon paper, and/or vacuum sealed plastic bags in their mailing of controlled substances or the proceeds of controlled substances, in an attempt to defeat controlled substance detecting canines.

1 34. Parcel A did not contain any notes, receipts, or instructions.

2 35. Inspectors know from training and experience that individuals who traffic
3 in controlled substances rarely include any type of instruction with the proceeds.
4 Conversely, legitimate business transactions or personal gifts involving cash or monetary
5 instruments generally contain explanatory notes, letters, receipts, cards or coupons.

6 36. The currency in Parcel A totaled \$30,250. It was comprised of 665 \$20
7 bills (\$13,300); 29 \$50 bills (\$1,450); and 155 \$100 bills (\$15,500).

8 37. Inspectors know from training and experience that drug traffickers
9 generally use low denomination currency to conduct their business and have found that in
10 most cases, payments for controlled substances are primarily made in twenty-dollar
11 denominations.

12 ***Administrative Procedures***

13 38. On or about July 7, 2020, USPIS sent notices to all identified, potentially
14 interested parties that the currency from Parcel A had been seized. Those notices
15 included instructions for petitioning for administrative remission of the currency or filing
16 a claim seeking judicial process on its forfeitability. On August 8, 2020, USPIS received
17 a petition and claim from Trung Nguyen, in which he asserted ownership of the currency
18 from Parcel A. As proof of ownership, Mr. Nguyen submitted statements and documents
19 purporting to explain the origin of the currency.

20 39. Mr. Nguyen stated that the currency from Parcel A was “gifted” to him by a
21 friend for the purchase of a boat and he provided copies of May 2020 email exchanges
22 with two individuals who posted boats for sale on Craig’s List and BoatTrader.

23 40. On or about May 14, 2020, Kim Nguyen contacted the U.S. Postal Service
24 by telephone to ask why there have not been any tracking updates on Parcel A since May
25 7, 2020. Kim Nguyen described the contents of Parcel A as “paperwork” mailed to him
26 from his brother in law.

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1 **B. Defendant Currency B (\$11,000)**

2 41. On June 23, 2020, Postal Inspectors conducted interdiction operations
3 targeting controlled substances and/or proceeds from the sale of and distribution of illegal
4 drug activity. Part of the interdiction efforts were performed by searching databases on
5 parcel information. These operations took place in many parts of Washington State,
6 including the Seattle Processing and Distribution Center, located at 10700 27th Avenue
7 South, located in Tukwila, Washington 98168.

8 42. During the interdiction operations, U.S. Priority Mail Express parcel
9 #EE455046776US ("Parcel B") was identified for further inspection.

10 43. Parcel B was a U.S. Postal Service Priority Mail Express Flat Rate box that
11 measured approximately 14" x 3.5" x 11" and weighed approximately 2 pounds, 15.8
12 ounces. It was postmarked June 22, 2020, from Kingsport, Tennessee; shipped as 1-day
13 delivery; and carried \$57.65 in postage.

14 44. Parcel B was addressed from Chris Williams, 4036 Skyland Dr., Kingsport,
15 Tennessee 37664 and addressed to Kim Nguyen, 16214 114th Avenue SE, Renton,
16 Washington 98055. A photograph of the parcel and the mailing label is included below.

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a. Investigation revealed that 4036 Skyland Dr., Kingsport, Tennessee 37664 is a valid address and that Julia Williams is associated with that address.

b. Investigation reconfirmed that 16201 114th Avenue SE, Renton, Washington 98055 is a valid address and that Kim Nguyen, Trong Nguyen, and Trong Trung Nguyen are associated with that address. Inspector Vanicek previously confirmed this information in connection with Parcel A, addressed above.

45. Based on his training and experience, Inspector Vanicek noted that Parcel B bore multiple features that are consistent with the distribution of controlled substances and related proceeds.

External Features of Parcel B Consistent with Drug Trafficking

46. Parcel B was mailed to the same name and address as Parcel A, which had numerous external indicia of drug trafficking proceeds, was identified as emitting an odor of controlled substances by K-9 officer Apollo, and which contained concealed U.S. currency.

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1 47. Tennessee is a known destination state for marijuana parcels shipped from
2 the source state of Washington. Tennessee is not a state in which possession of
3 recreational marijuana is lawful. Proceeds from the sale and distribution of controlled
4 substances received from Washington are often sent back from destination states as
5 payment via the U.S. Mail system.

6 48. Review of parcel database information revealed that the mailer of Parcel A
7 used cash to pay for the \$57.65 in postage.

8 49. Inspectors know from training and experience that drug traffickers often
9 pay with cash for postage because use of a debit or credit card may allow law
10 enforcement to identify the shipper to a known address or provide other identifiers.

11 50. The label of Parcel B was hand written and appeared to have been sent
12 from a private individual to another private individual. It did not appear to be business
13 related.

14 51. Inspectors know from training and experience that drug traffickers often
15 hand write mailing labels instead of using pre-printed labels, which is customary in
16 business mailings.

17 52. There were no contact telephone numbers written on the mailing label
18 attached to Parcel B, for either the sender or the recipient.

19 53. Inspectors know from training and experience that Express mailings are
20 generally used for items or documents that the sender considers important, valuable,
21 and/or time sensitive. It would be unusual not to include a contact telephone number in
22 the event there was a problem with delivery of the parcel. Drug traffickers often choose
23 not to include telephone numbers – or provide incorrect telephone numbers – on parcels,
24 so as not to enable law enforcement to trace their names or physical locations.

25 ***Further Investigation***

26 54. Based on the information identified above, as well as his training and
27 experience, Inspector Vanicek deemed there was reasonable suspicion to detain Parcel B
28 for further investigation.

1 55. Inspector Vanicek requested the assistance of Task Force Officer (TFO)
2 James Sturgill and his certified controlled substance detection K-9 partner, “Apollo.”
3 Apollo is a passive alert canine and is trained to give a “sit response” after having
4 identified the specific location from which the odor of a controlled substance is emitting.
5 Apollo is trained to detect the presence of marijuana, heroin, methamphetamine, and
6 cocaine; he cannot communicate which of these substances he has detected.

7 56. After an initial search of a warehouse room in the Tukwila facility, Apollo
8 did not alert on any items or areas. Inspector Vanicek then placed Parcel B in an out-of-
9 sight location in the warehouse room, out of the view of Detective Sturgill and K-9
10 Officer Apollo. During Apollo’s subsequent search of the warehouse room, he stopped
11 and “sat” in the area where Parcel B was located. This was an indication to Detective
12 Sturgill that Apollo detected an odor of a controlled substance emanating from Parcel B.

13 57. Inspectors know from training and experience that individuals who
14 regularly handle controlled substances often leave the scent of controlled substances on
15 the box and other packaging materials they handle. Packaging materials are often stored
16 in close proximity to the controlled substances, thereby transferring the odor of the
17 controlled substances to the packaging materials. Controlled substances canines (also
18 called narcotics canines) are trained to alert on these substances.

19 ***Search of Parcel B***

20 58. On June 25, 2020, the Honorable Michelle Peterson, United States
21 Magistrate Judge for the Western District of Washington, issued a search warrant
22 authorizing the search of Parcel B.

23 59. After obtaining a search warrant, Postal Inspectors Mitchel Vanicek and
24 Anna Weller executed the search warrant and opened Parcel B.

25 60. Parcel B contained clothing items, “flip-flops,” and a sealed Priority Mail
26 Tyvek envelope. Inside the envelope were two coloring books. Inside each book were
27 stacks of U.S. currency, which had been rubber banded and spread out inside the pages.
28 Photographs of the parcel, the internal packaging, and the currency are included below.



61. Inspectors know from training and experience that drug traffickers often use plastic wrap (cellophane), carbon paper, and/or vacuum sealed plastic bags in their mailing of controlled substances or the proceeds of controlled substances, in an attempt to defeat controlled substance detecting canines.

62. Parcel B did not contain any notes, receipts, or instructions.

63. Inspectors know from training and experience that individuals who traffic in controlled substances rarely include any type of instruction with the proceeds. Conversely, legitimate business transactions or personal gifts involving cash or monetary instruments generally contain explanatory notes, letters, receipts, cards or coupons.

64. The currency in Parcel B totaled \$11,000. It was comprised of 2 \$5 bills (\$10); 25 \$10 bills (\$250); 457 \$20 bills (\$9,140); 4 \$50 bills (\$200); and 14 \$100 bills (\$1,400).

65. Inspectors know from training and experience that drug traffickers generally use low denomination currency to conduct their business and have found that in

1 most cases, payments for controlled substances are primarily made in twenty-dollar
2 denominations.

3 ***Administrative Procedures***

4 66. On or about August 10, 2020, USPIS sent notices to all identified,
5 potentially interested parties that the currency from Parcel A had been seized. Those
6 notices included instructions for petitioning for administrative remission of the currency
7 or filing a claim seeking judicial process on its forfeitability. On September 14, 2020,
8 USPIS received a petition and claim from Trung Nguyen, in which he asserted ownership
9 of the currency from Parcel A. As proof of ownership, Mr. Nguyen submitted statements
10 and documents purporting to explain the origin of the currency.

11 67. Mr. Nguyen provided the same explanation he previously provided in his
12 claim for the currency from Parcel A. Mr. Nguyen stated that the currency was “gifted”
13 to him by a friend for the purchase of a boat and he provided copies of May 2020 email
14 exchanges with two individuals who posted boats for sale on Craig’s List and
15 BoatTrader.

16 ***C. Defendant Currency C (\$11,750)***

17 68. On June 26, 2020, Postal Inspectors conducted interdiction operations
18 targeting controlled substances and/or proceeds from the sale of and distribution of illegal
19 drug activity. Part of the interdiction efforts were performed by searching databases on
20 parcel information. These operations took place in many parts of Washington State,
21 including the Seattle Processing and Distribution Center, located at 10700 27th Avenue
22 South, located in Tukwila, Washington 98168.

23 69. During the interdiction operations, U.S. Priority Mail Express parcel #9505
24 5127 4626 0176 8946 50 (“Parcel C”) was identified at the Renton Post Office for further
25 inspection. Inspector Vanicek contacted the Renton Post Office and instructed them to
26 forward Parcel C to the Postal Inspection Service office located at 301 Union Street,
27 Seattle, Washington 98101.

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70. Parcel C was a U.S. Postal Service Priority Mail Express parcel that measured approximately 12.5 x 9.5 and weighed approximately 1 pound, 9.4 ounces. It was a flat rate parcel, postmarked June 24, 2020 from Naples, Florida, scheduled for 2-day delivery, and carried \$.75 in postage.

71. Parcel C was addressed from Kelly Vong, 2314 Pine Ridge Road, Naples, Florida 34109 and addressed to Kim Nguyen, 16214 114th Avenue SE, Renton, Washington 98055. A photograph of the parcel and mailing label is included below.



a. Investigation revealed that 2314 Pine Ridge Road, Naples, Florida 34109 is a valid address, but that Kelly Vong is not a name that is associated with that address in U.S. Postal Service databases.

b. Investigation reconfirmed that 16201 114th Avenue SE, Renton, Washington 98055 is a valid address and that Kim Nguyen, Trong Nguyen, and Trong Trung Nguyen are associated with that address.

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1 72. Based on his training and experience, Inspector Vanicek noted that Parcel C
2 bore multiple features that are consistent with the distribution of controlled substances
3 and related proceeds.

4 ***External Features of Parcel C Consistent with Drug Trafficking***

5 73. Parcel C was mailed to the same name and address as Parcel A and Parcel
6 B, both of which had numerous external indicia of drug trafficking proceeds, both of
7 which were identified as emitting an odor of narcotics by K-9 officer Apollo, and both of
8 which contained concealed U.S. currency.

9 74. Parcel C was mailed from a zip code (34109) associated with Naples,
10 Florida, which was the same city and state from which Parcel A was mailed.

11 75. Florida is a known destination state for marijuana parcels shipped from the
12 source state of Washington. Florida is not a state in which possession of recreational
13 marijuana is lawful. Proceeds from the sale and distribution of controlled substances
14 received from Washington are often sent back from destination states as payment via the
15 U.S. Mail system.

16 76. Review of parcel database information revealed that the mailer of Parcel C
17 used cash to pay for the \$7.75 in postage.

18 77. Inspectors know from training and experience that drug traffickers often
19 pay with cash for postage because use of a debit or credit card may allow law
20 enforcement to identify the shipper to a known address or provide other identifiers.

21 78. The name of the sender – Kelly Vong – is not associated with the sending
22 address in U.S. Postal Service databases.

23 79. Investigation using an open source mapping website revealed that this
24 address is associated with a business named “LV Nails.”

25 80. Business records reveal that Katrina Pham is the owner of LV Nails.

26 81. Kelly Vong also appears to be associated with LV Nails.

27 82. Inspectors know from training and experience that drug traffickers using
28 the U.S. mail system often use fictitious or altered names when providing mailing or

1 recipient information on mailing labels to avoid being positively identified by law
2 enforcement.

3 83. The label of Parcel C was hand written and appeared to have been sent
4 from a private individual to another private individual. It did not appear to be business
5 related.

6 84. Inspectors know from training and experience that drug traffickers often
7 hand write mailing labels instead of using pre-printed labels, which is customary in
8 business mailings.

9 ***Further Investigation***

10 85. Based on the information identified above, as well as his training and
11 experience, Inspector Vanicek deemed there was reasonable suspicion to detain Parcel C
12 for further investigation.

13 86. Inspector Vanicek requested the assistance of Task Force Officer (TFO)
14 James Sturgill and his certified controlled substance detection K-9 partner, "Apollo."
15 Apollo is a passive alert canine and is trained to give a "sit response" after having
16 identified the specific location from which the odor of a controlled substance is emitting.
17 Apollo is trained to detect the presence of marijuana, heroin, methamphetamine, and
18 cocaine; he cannot communicate which of these substances he has detected.

19 87. After an initial search of a warehouse room in the Tukwila facility, Apollo
20 did not alert on any items or areas. Inspector Vanicek then placed Parcel C in an out-of-
21 sight location in the warehouse room, out of the view of Detective Sturgill and K-9
22 Officer Apollo. During Apollo's subsequent search of the warehouse room, he stopped
23 and "sat" in the area where Parcel C was located. This was an indication to Detective
24 Sturgill that Apollo detected an odor of a controlled substance emanating from Parcel C.

25 88. Inspectors know from training and experience that individuals who
26 regularly handle controlled substances often leave the scent of controlled substances on
27 the box and other packaging materials they handle. Packaging materials are often stored
28 in close proximity to the controlled substances, thereby transferring the odor of the

controlled substances to the packaging materials. Controlled substances canines (also called narcotics canines) are trained to alert on these substances.

Search of Parcel C

89. On July 1, 2020, the Honorable Brian A. Tsuchida, Chief Magistrate Judge for the Western District of Washington, issued a search warrant, authorizing the search of Parcel C.

90. After obtaining a search warrant, Postal Inspectors Mitchel Vanicek and Amy Kerkof executed the warrant and opened Parcel C.

91. Parcel C contained a sealed U.S. Priority Mail Tyvek envelope that had been folded partially to fit in the outer mailing envelope. Inside the inner envelope was a People magazine. Inside the pages of the magazine, U.S. currency had been fanned out between multiple pages to conceal it. Photographs of the parcel, the internal packaging, and the currency are included below.



1 92. Inspectors know from training and experience that drug traffickers often
2 use plastic wrap (cellophane), carbon paper, and/or vacuum sealed plastic bags in their
3 mailing of controlled substances or the proceeds of controlled substances, in an attempt to
4 defeat controlled substance detecting canines.

5 93. Parcel C did not contain any notes, receipts, or instructions.

6 94. Inspectors know from training and experience that individuals who traffic
7 in controlled substances rarely include any type of instruction with the proceeds.
8 Conversely, legitimate business transactions or personal gifts involving cash or monetary
9 instruments generally contain explanatory notes, letters, receipts, cards or coupons.

10 95. The currency in Parcel C totaled \$11,750. It was comprised of 12 \$5 bills
11 (\$60); 448 \$20 bills (\$8,960); 2 \$50 bills (\$100); and 22 \$100 bills (\$2,200).

12 96. Inspectors know from training and experience that drug traffickers
13 generally use low denomination currency to conduct their business and have found that in
14 most cases, payments for controlled substances are primarily made in twenty-dollar
15 denominations.

16 ***Administrative Procedures***

17 97. On or about August 11, 2020, USPIS sent notices to all identified,
18 potentially interested parties that the currency from Parcel A had been seized. Those
19 notices included instructions for petitioning for administrative remission of the currency
20 or filing a claim seeking judicial process on its forfeitability. On September 14, 2020,
21 USPIS received a petition and claim from Trung Nguyen, in which he asserted ownership
22 of the currency from Parcel A. As proof of ownership, Mr. Nguyen submitted statements
23 and documents purporting to explain the origin of the currency.

24 98. Mr. Nguyen provided the same explanation he previously provided in his
25 claims for the currency from Parcel A and Parcel B. He stated that the currency from
26 Parcel C was “gifted” to him by a friend for the purchase of a boat and he provided
27 copies of May 2020 email exchanges with two individuals who posted boats for sale on
28 Craig’s List and BoatTrader.

V. REQUEST FOR RELIEF

As required by Supplemental Rule G(2)(f), the facts set forth in this Verified Complaint support a reasonable belief that the United States will be able to meet its burden of proof at trial. More specifically, there is probable cause to believe that the Defendant Currencies are forfeitable pursuant to 21 U.S.C. § 881(a)(6) because they constitute moneys furnished, or intended to be furnished, in exchange for a controlled substance or proceeds from such an exchange, in violation of 21 U.S.C. §§ 841(a)(6) (moneys furnished, or intended to be furnished, in exchange for a controlled substance or proceeds from such an exchange), 841(a)(1) (distribution of a controlled substance), and 846 (attempt or conspiracy to violate Title 21).

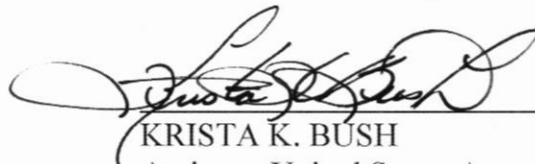
WHEREFORE, the United States respectfully requests:

1. A warrant issue for the arrest of the Defendant Currencies;
2. That due notice be given to all interested parties to appear and show cause why the Defendant Currencies should not be forfeited;
3. The Defendant Currencies be forfeited to the United States for disposition according to law; and,
4. For such other and further relief as this Court may deem just and proper.

DATED this 6th day of November, 2020.

Respectfully submitted,

BRIAN T. MORAN
United States Attorney



KRISTA K. BUSH
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101
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VERIFICATION

I, Mitchel Vanicek, am a Postal Inspector with the United States Postal Inspection Service ("USPIS"), assigned to the Seattle Division Headquarters office, in Seattle, Washington and have been employed as a Postal Inspector for sixteen years. As a Postal Inspector, I have assisted or participated in investigations involving narcotics, burglaries, robberies, mail theft, and identity theft. As part of my duties, I investigate incidents in which the United States mail system is used for the purpose of transporting non-mailable matter, including controlled substances such as marijuana, cocaine, methamphetamine, and heroin, as well as proceeds of the sale of controlled substances. My training and experience includes identifying parcels with characteristics indicative of criminal activity. I am an investigating or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), in that I am empowered by law to conduct investigations and to make arrests for federal offenses. I furnished the investigative facts contained in the foregoing Verified Complaint for Forfeiture *In Rem*. The investigative facts are based on personal knowledge I obtained from my involvement in the underlying investigation, my review of the relevant investigative material, other law enforcement officers involved in the investigation, other reliable official Government sources, and my own training and experience.

I hereby verify and declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, that I have read the foregoing Verified Complaint for Forfeiture *In Rem*, that I know its contents, and that the facts it contains are true and correct to the best of my knowledge.

Executed this 6th day of November, 2020.



MITCHEL VANICEK
Postal Inspector
United States Postal Inspection Service

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA,

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Krista K. Bush, Assistant United States Attorney
700 Stewart Street, Suite 5220, Seattle, Washington 98101-1271
(206) 553-2242, Facsimile: (206) 553-6934

DEFENDANTS

\$30,250 IN U.S. CURRENCY; \$11,000 IN U.S. CURRENCY;
\$11,750 IN U.S. CURRENCY; AND ANY ACCRUED INTEREST

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question
(U.S. Government Not a Party)
☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander			<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability			<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine			<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability			<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle			<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability			<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury			<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice			<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 495 Securities/Commodities/Exchange
				<input type="checkbox"/> 890 Other Statutory Actions
				<input type="checkbox"/> 891 Agricultural Acts
				<input type="checkbox"/> 893 Environmental Matters
				<input type="checkbox"/> 895 Freedom of Information Act
				<input type="checkbox"/> 896 Arbitration
				<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
				<input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

21 U.S.C. § 881(a)(6) for violations of 21 U.S.C. §§ 841(a)(1) and (6), and 846.

VI. CAUSE OF ACTION

Brief description of cause:

Moneys furnished or intended to be furnished in exchange for controlled substances or constituting proceeds of such an exchange.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE November 6, 2020 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$30,250 IN U.S. CURRENCY,
\$11,000 IN U.S. CURRENCY,
\$11,750 IN U.S. CURRENCY,
AND ANY ACCRUED INTEREST,

Defendants.

NO. CV20-1642

WARRANT OF ARREST *IN REM*

TO: UNITED STATES MARSHALS SERVICE,
and/or its duly authorized agents and representatives

WHEREAS, a Verified Complaint for Forfeiture *in Rem* has been filed on November 6, 2020, in the United States District Court for the Western District of Washington, alleging the above-captioned \$30,250 in U.S. Currency, \$11,000 in U.S. Currency, \$11,750 in U.S. Currency, and Any Accrued Interest (hereafter “the Defendant Currencies”) are subject to seizure and forfeiture to the United States pursuant to 21 U.S.C. § 841(a)(6) (moneys furnished, or intended to be furnished, in exchange for a controlled substance or proceeds from such an exchange), for violations of

21 U.S.C. §§ 841(a)(1) (distribution of a controlled substance) and 846 (attempt or conspiracy to violate Title 21);

YOU ARE, THEREFORE, HEREBY COMMANDED to arrest and seize the Defendant Currencies; and,

YOU ARE FURTHER COMMANDED to provide notice of this action to all persons thought to have an interest in or claim to the Defendant Currencies, to file a verified claim/statement of interest with the Clerk of the Court pursuant to Supplemental Rule G(5) of the Federal Rules of Civil Procedure (governing forfeiture actions *in rem*); and that you promptly, after execution of this process, file the same in this Court with your return thereon.

DATED this _____ day of _____, 2020.

WILLIAM M. McCOOL
UNITED STATES DISTRICT COURT CLERK

By: _____
DEPUTY CLERK

Presented by:



KRISTA K. BUSH
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
Telephone: (206) 553-2242
Email: Krista.Bush@usdoj.gov

NOTE: This warrant is issued pursuant to Rule G(3) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure.